



Issue date: 03Apr2002

.....
Appeal of : Case No. 1992-BCA-00007
:
HOME BUILDERS INSTITUTE :
Appellant :
:
Contract No. 99-6-0278-35-037-01 :
.....

ORDER TO SHOW CAUSE

By motion filed September 18, 1995, the Contracting Officer moved that the hearing scheduled to convene in this matter on October 11, 1995 be canceled and that this matter be continued until two appeals then pending before the Board in Operative Plasterers & Cement Masons International Association/ National Plastering Industries Joint Apprenticeship Trust Fund, 93-BCA-13 and 94-BCA-2, were resolved. The Contractor concurred, and the motion was granted on September 20, 1995.

On March 13, 2002, the parties were advised that the Board, on March 12, 2002, upon consideration of a stipulation of dismissal, issued an Order Dismissing the Appeals With Prejudice in Operative Plasterers & Cement Masons International Association/ National Plastering Industries Joint Apprenticeship Trust Fund, 93-BCA-13 and 94-BCA-2. The Board then requested the parties to file a report on the status of this matter in view of the dispositions in 93-BCA-13 and 94-BCA-2.

In response to the Board's request for a status report, the Contracting Officer, on March 25, 2002, filed a Motion to Dismiss the above-captioned matter on the ground that the Department of Labor has decided not to pursue the disallowance of \$78,566 in costs identified in Finding No. XXXI of the Contracting Officer's Final Decision. The Contractor is hereby afforded 20 days from the date hereof to respond to the Contracting Officer's motion and show cause why the Motion to Dismiss should not be granted.

Stuart A. Levin
Administrative Law Judge
Member of the Board